



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 06/26/03

AGENDA ITEM 1

WORK SESSION ITEM _____

TO: Planning Commission

FROM: Gary Calame, Senior Planner

SUBJECT: Consideration of Final Environmental Impact Report and Proposed Amendments to the General Plan and Zoning Ordinance Related to the Mission-Garin Area Annexation Study

RECOMMENDATION:

It is recommended that the Planning Commission recommend to the City Council:

1. Certification of the Environmental Impact Report as being prepared in accordance with the California Environmental Quality Act and City implementing guidelines; adoption of the Statement of Overriding Considerations; and approval of the Mitigation Monitoring and Reporting Program;
2. Adoption of proposed amendments to the General Plan Land Use Map (GPA PL-2003-0356) for certain properties within the study area, based on the attached findings;
3. Adoption of the proposed Special Design (SD-5) District (TA PL-2003-0358) as a text change to the Zoning Ordinance, based on the attached findings;
4. Adoption of proposed amendments to the Zoning Ordinance (ZC PL-2003-0357) that rezone certain properties within the city limits and prezone all properties within unincorporated areas that are proposed for annexation, based on the attached findings.

DISCUSSION:

Background

The Mission-Garin Annexation Study Area encompasses approximately 426 acres in the southeastern portion of the City of Hayward's Sphere of Influence. The study area includes approximately 244 acres within the unincorporated areas in addition to adjacent hillside areas within the city limits. The study area is generally located east of Mission Boulevard and west of Garin Regional Park, between Calhoun Street on the north and Garin Avenue on the south. Boundaries of the study area are depicted in Attachment A.

The Mission-Garin Annexation Study was initiated by the City Council in the spring of 2002 and has involved area property owners and other interested parties at key points in the process through a series of community meetings. The objective of the Annexation Study is to determine the appropriate land use and zoning for properties within the unincorporated areas as well as adjacent hillside areas within the city limits. Consequently, the study area included those properties proposed for annexation as well as adjacent properties that are integral to a

comprehensive evaluation of the area. Five land use alternatives were originally prepared for the study area based on input from property owners and area residents. Potential impacts of these alternatives, which provided for a considerable variety in the intensity and extent of development, were evaluated in the Draft Environmental Impact Report (DEIR). As a result of the intensive analysis and evaluation of available information, staff has concluded that the land use recommendations presented below, when viewed in comparison with the five original land use alternatives analyzed in the DEIR, best reflect the City's development goals and objectives as articulated in the General Plan.

At this time, staff is requesting that the Planning Commission consider amendments to the General Plan that would change various land use designations on the Land Use Map and also consider amendments to the Zoning Ordinance that would rezone properties within the city limits and prezone unincorporated properties within the proposed annexation area to be consistent with the General Plan. Staff is also requesting that the Commission consider a text amendment to the Zoning Ordinance that would establish the Mission-Garin Area Special Design (SD-5) District. The Planning Commission recommendations will be forwarded to the City Council for public hearing on July 15, 2003. At that time, the City Council will also consider additional matters related to submittal of an annexation application to the Alameda Local Agency Formation Commission.

Staff Recommendations

1) Proposed General Plan Land Use Designations

Staff is proposing a land use pattern (see Attachment B) that reflects a combination of elements from the five original land use alternatives. The total additional housing unit potential is approximately 320 dwelling units. In the southern portion of the study area, the Limited Medium Density Residential designation would allow for development of townhouses and condominiums at a maximum density of 12 units per net acre, as well as single-family detached dwellings on lots of 4,000 square feet or greater. In the western portion of the study area, the Medium Density Residential designation would encourage development of townhouses and condominiums at a maximum density of 17.4 units per net acre. The upper Overhill Drive area is designated as Suburban Density Residential, which would allow for single-family detached dwellings on lots of 10,000 square feet or greater. The remaining portions of the study area are designated as Limited Open Space, which could allow for the creation of a limited number of rural homesites.

2) Proposed Zoning Classifications

Staff is proposing zoning (see Attachment C-3) that is consistent with proposed amendments to the General Plan Land Use Map. Properties designated as Limited Medium Density Residential would be rezoned to RMB4 (Residential, with a minimum lot size of 4,000 square feet) or RMB3.5 (Residential, with a minimum lot area of 3,500 square feet per dwelling unit). Properties designated as Medium Density Residential would be rezoned to RM (Residential, with a minimum lot area of 2,500 square feet per dwelling unit). Properties designated as Suburban Density Residential would be rezoned to RSB10 (Residential, with a minimum lot size of 10,000 square feet). Areas designated as Limited Open Space would be rezoned to AB10A (Agriculture, with a minimum parcel size of 10 acres).

3) Proposed Special Design (SD-5) District

The purpose of the Special Design (SD-5) District (see Attachment C) is to ensure the orderly development of the Mission-Garin hillside area, consistent with the policies and strategies contained in the General Plan and the provisions of the Hillside Design Guidelines. The SD-5 District would become a zoning overlay district for the study area (see Attachment C-1). The provisions of the SD-5 District establish the overall development potential for the study area and allocate the potential units to individual properties within the area. The District also contains specific development standards and design guidelines that apply to all new development within the area and reflect the hillside terrain.

Framework for Recommendations

A primary function of public policy with respect to land use is to determine appropriate locations where development should occur consistent with adopted goals and objectives. Inherent in such a determination is the need to balance competing interests. In this instance, given that none of the five alternatives resulted in a negative fiscal impact in terms of the City's ongoing annual revenues and expenditures, this was not a primary consideration in the development of the recommendations. Finally, while development may be technically feasible to pursue, it may not always be desirable from a public policy perspective.

The need to achieve consistency with adopted goals and objectives may create the erroneous impression of inconsistency in decision-making over time. This apparent inconsistency may be due to changes in existing conditions, policies and regulations, or the availability of new information. For example, several recently-built projects in the vicinity of the study area were originally approved almost twenty years ago. Although construction of the Garin Reservoir facilitated new development, it also eliminated reliance on a private system that had served existing development. Other examples, including new data about faults and potential seismic events, recent problems associated with landslides in the area, changes in creekbank setback regulations, and adoption of new development standards and design guidelines, have in effect combined to create conditions that are dissimilar to those in prior years.

The land use and zoning recommendations (refer to Attachments B and C) are based on a review of adopted City of Hayward development goals and policies, including the General Plan and Hillside Design Guidelines. These policies can be summarized in the following basic statements of development and design objectives:

- Focus housing, particularly when developed at higher densities, close to transit corridors;
- Provide for the efficient delivery of public services;
- Avoid development near hazardous areas to reduce loss of life and property; and,
- Protect environmentally sensitive areas and preserve hillsides and ridgelines as visual open space resources.

The clustering of higher density development closer to Mission Boulevard and the South Hayward BART Station responds to and expands the City's commitment to smart growth principles and transit-oriented development. Indeed, the General Plan states: "The type and densities of housing will vary depending on the surrounding residential character and proximity to public transit, major arterials and activity centers." (Page 2-9). These principles call for full

utilization of existing investments in infrastructure and endorse the efficient provision of public utilities and services, all of which are located proximate to Mission Boulevard. A higher density development scenario adjacent to Mission Boulevard could help the City address its housing needs. According to the Housing Element Update recently reviewed by the City Council, the City is able to accommodate its share of the regional housing need without expansion into areas that are less suitable for residential development.

The recommended land use pattern takes into account those hazards associated with a major seismic event, and the consequent impact on City emergency services and economic resources, by limiting the amount of development along and east of the main traces of the Hayward Fault. Within this context, the only areas designated for residential development east of the fault are those contiguous to existing development, located within the planned and adopted water service area of the existing Garin Reservoir system, and served by existing roadways or the proposed extension of Alquire Parkway. The extension of Alquire Parkway will help reduce the potential for isolation associated with a major seismic event by providing an alternative access to and egress from existing and proposed development in the area.

Allowing development in the areas designated in the recommended land use pattern minimizes potential negative impacts on environmentally sensitive areas such as streams and other riparian areas. Where proposed, development can be clustered with appropriate design and landscaping so as to preserve the visual and scenic resources of the hillsides. Avoidance of higher elevations and ridgelines also serves to protect these visual and scenic resources as well as the adjacent open space within Garin Regional Park. Provisions in the proposed Special Design District, along with other adopted city policies and guidelines, can mitigate potential visual impacts associated with specific development projects.

Under the land use and zoning recommendations, the minimum parcel size in areas proposed for agricultural zoning is 10 acres. As most of the study area is within the jurisdiction of Alameda County, it is worth noting existing county agricultural zoning calls for a minimum parcel size of 100 acres. Within the city limits, all of the properties where changes are proposed are zoned agricultural (with a minimum parcel size of one acre) with the exception of four parcels that have residential zoning. Although the net effect of the proposed change in agricultural zoning may be to allow greater opportunities for development than currently exist, staff believes that provisions of the Special Design District will serve to mitigate any adverse impacts of such development, especially given the limited number of potential rural homesites.

With regard to park and recreation facilities, the anticipated population (approximately 1,000 people) generated by the potential development of 320 dwelling units under the recommended land use alternative could be served by either provision of a new neighborhood park or enhancement of nearby existing facilities through the payment of park dedication in-lieu fees. The estimated number of school-age children in Grades K-6 (approximately 100 students) generated by additional housing development in the study area is not considered sufficient to require a new school campus; however, this increase would exacerbate the existing deficiency in permanent classroom space (excluding portables) at the elementary school level. The mitigation measures in the Final Environmental Impact Report (FEIR) call for future developers to pay school impact mitigation fees. As noted in the FEIR, a new school campus would be required as mitigation to accommodate the influx of new students if Alternatives B, C or D were selected, in recognition that school impact fees alone would be inadequate to fund a new campus.

As noted previously, staff is recommending a land use pattern that reflects a combination of elements from the five original land use alternatives. For your convenience, and in order to facilitate comparison of the staff land use recommendation with the five land use alternatives analyzed in the DEIR, Attachment D contains a table showing the estimated dwelling unit potential under each land use alternative for parcels within the study area as well as maps of each land use alternative.

With respect to the proposed zoning classifications, some study area property owners have noted their experience in other communities where parcels have a Planned District (PD) zoning designation, whether or not a specific development application is involved, and have suggested a similar approach should be used in this instance. However, this is not permitted under the City's zoning ordinance. Under Hayward's zoning regulations, a PD designation can only be entertained if there is a specific development application. This long-standing practice is designed to encourage creativity and flexibility in design, and allows decision makers to consider tradeoff and benefits, which is possible only when the specifics of a project are known. Some of the property owners have indicated their intent to submit a PD application at the appropriate time, and such action is contemplated within the provisions of the proposed Special Design (SD-5) District.

Environmental Review

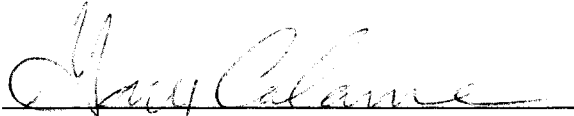
The Draft Environmental Impact Report (DEIR) for the Mission-Garin Annexation Study was reviewed with the Planning Commission on March 27, 2003. The Final Environmental Impact Report (FEIR), which contains written responses to comments on the DEIR and revisions where appropriate, was previously distributed to the Planning Commission. Notice of the availability of the FEIR has been provided to all property owners within the study area, public agencies that commented on the DEIR, those individuals on the mailing list of interested parties, and residents within the area generally bounded by Calhoun Street, Mission Boulevard, Fairway Street, Garin Avenue, and Garin Regional Park.

The FEIR includes the revised Summary of Environmental Impacts and Mitigations, which indicates that all but one of the significant impacts can be mitigated to a less-than-significant level. The one exception is regional traffic growth and roadway congestion, which is a significant and unavoidable impact; a statement of overriding considerations will need to be adopted to address this impact (see Attachment E). As previously noted, the recommended land use alternative represents a combination of elements of the five original land use alternatives and does not create any new impacts that were not already considered in the DEIR. The proposed Mitigation Monitoring and Reporting Program is included as Attachment F.

Public Notices

Notice of this public hearing was published in the Daily Review on June 14, 2003. Notices were mailed to all property owners within the study area and all property owners and residents within 300 feet of the study area on June 13, 2003. In addition, notice of the public hearing was mailed to those individuals on the mailing list of interested parties, and residents within an expanded area generally bounded by Calhoun Street, Mission Boulevard, Fairway Street, Garin Avenue, and Garin Regional Park.

Prepared by:



Gary Calame, AICP
Senior Planner

Approved by:



Dyana Anderly, AICP
Planning Manager

Attachments: Attachment A. Map of Mission-Garin Study Area
Attachment B. Proposed General Plan Land Use Designations
Attachment C. Proposed Zoning and Special Design (SD-5) District
Attachment D. Comparison of Dwelling Unit Potential for Land Use Alternatives
Attachment E. Statement of Overriding Considerations
Attachment F. Mitigation Monitoring and Reporting Program
Attachment G. Findings for Approval of General Plan Amendment
Attachment H. Findings for Approval of Zoning Ordinance Amendments
Attachment I. List of Parcels by Assessor's Parcel Number and Street Address
with Proposed Changes to General Plan and Zoning Designations

SEC. 10-1.2630 MISSION-GARIN AREA SPECIAL DESIGN DISTRICT (SD-5).

a. Purpose.

The purpose of the Mission-Garin Area Special Design District (SD-5) is to ensure the orderly development of the Mission-Garin area (see Attachment C-1), consistent with the policies and strategies contained in the General Plan and the provisions of the Hillside Design Guidelines. This District establishes the total dwelling unit potential (see table, Attachment C-2) for the area within the District and sets forth development standards and design guidelines that apply to future development within this District. The zoning designation of properties within the District are shown in Attachment C-3.

b. Dwelling Unit Allocation.

Development for any parcel or combination of parcels will be consistent with the dwelling unit allocation set forth in the table in Attachment C-2. Adjustments to the dwelling unit allocations for specific properties may be considered by the City Council based on presentation of more detailed data, findings of site-specific environmental analyses, and/or as a result of the application of the development standards outlined below during the review of individual development projects. In no case will the total number of dwelling units exceed the maximum shown for the entire District. For any parcels not specifically identified in the attached table, the number of dwelling units to be allocated will be determined by the City Council in a manner consistent with that used for properties included in the table and supported by adequate environmental analysis.

c. Development Standards and Design Guidelines.

Clustering of residential development is encouraged, with development located so as to avoid geologic hazards, minimize grading and preserve significant natural site features, such as rock outcroppings, mature trees, natural drainage courses and scenic views. Preferred hillside development includes clustering of dwelling units, whether single-family or multi-family, separated by inter-connected natural open space or greenbelt corridors.

New development will adhere to the following development standards and design guidelines. To the extent that the following provisions conflict with the Hillside Design and Urban/Wildland Interface Guidelines, the following standards shall prevail. As required by the established review process, proposed development projects will be referred to the Planning Commission and, as appropriate, the City Council, for review and action.

1. In order to promote the preservation of natural features while achieving the development potential established for this District, Planned Development applications may be required.
2. Development is not permitted within areas where natural slopes are generally greater than 25 percent.

3. Grading will be consistent with the Hillside Design Guidelines. For developments on slopes greater than 15 percent, at least 50 percent of the dwelling units will feature a stepped design.
4. The slope of streets will not exceed 12 percent unless necessary to minimize significant grading.
5. Pedestrian movement will be encouraged through the provision of pathways on at least one side of the street. On longer streets, pedestrian links between streets will be provided at a minimum of 750-foot intervals.
6. New construction, including new roadways, will be set back at least 100 feet from the top of any creek bank.
7. Exposed drainage systems will be constructed of materials that blend with the natural environment (e.g., grassy swales or river rock).
8. Development plans will feature the preservation of the greatest possible number of native trees, consistent with provisions of the Tree Preservation Ordinance.
9. Structures will be of high quality design, compatible with the natural surroundings and will feature darker earth-tone colors.
10. Lower portions of homes will be screened through the plantings of native trees and shrubs.
11. Preservation of views toward the bay in the hillsides will be incorporated into the design and layout of developments.
12. Detached single-family residential development projects will include at least 15% one-story units.
13. Architectural plans should utilize stepped or transitional front elevations, with the entries and windows visible from the street. The plans should feature alternating roof lines and forms, and incorporate decorative siding materials, entry doors and windows.
14. Densities shall be developed to no less than the midpoint of the assigned density range.
15. Computer visual simulations are required as part of application submittals for any new development. Vantage points are to be approved by staff.

MISSION-GARIN AREA SPECIAL DESIGN (SD-5) DISTRICT

Maximum Total Dwelling Unit Potential

The SD-5 special design district comprises approximately 363 acres, as shown in Attachment C-1. The maximum dwelling unit potential shown in the table below excludes parcels/areas totaling approximately 57 acres within the district that are considered as developed or rural home sites with little potential for subdivision due to size, slope, earthquake faults, etc.

Owners of Parcels Shown in Attachment C-1	Maximum Potential Dwelling Units
Christiansen	1
Angelo	1
Garin (Pistol Range)	1
Tomanek	1
Clanton	3
Ersted	115
La Vista Quarry ¹	16
Warren (Garin Vista)	115
McKenzie	54
Clearbrook Partnership ²	13
TOTALS:	320

¹Consists of the following parcels/areas: Lynch/East Bay Excavating Co./Warren (North)/Warren (Central)/DeSilva Group

²Does not include the potential for an additional 12 dwelling units associated with the approved Oak Hills Planned Development (see Attachment C-1)

Mission-Garin Area Annexation Study: Estimated Dwelling Unit (DU) Potential

The study area comprises approximately 426 acres. This estimate of development potential excludes parcels/areas totaling approximately 120 acres within the study area that are owned by the State (38 acres) or that are considered as developed or rural home sites with little potential for subdivision due to size, slope, earthquake faults, etc. (82 acres).

Parcel/Area (owner name)	Parcel Acreage	MAXIMUM POTENTIAL DWELLING UNITS					STAFF RECOMMENDATION
		ALTERNATIVE A	ALTERNATIVE B	ALTERNATIVE C	ALTERNATIVE D	ALTERNATIVE E	
Christiansen	11.8	6	51	25	25	1	1
Angelo	7.5	2	22	30	30	0	1
Garin (Pistol Range)	15.1	5	40	55	41	1	1
Tomanek	4.8	2	16	22	22	0	1
Clanton	32.2	3	23	11	11	1	3
Ersted	16.7	7	58	80	80	80	115
La Vista Quarry ¹	157.1	27	232	321	321	5	16
Warren (West) ²	11.4	1	1	57	20	1	0
Warren (Garin Vista)	35.5	11	92	127	127	2	115
McKenzie	8.9	5	44	60	60	1	54
Clearbrook Partnership	5.3	5	5	13	13	0	13
TOTALS:	306.4	74	584	801	750	92	320

¹Consists of the following parcels/areas: Lynch/East Bay Excavating Co./Warren (North)/Warren (Central)/DeSilva Group

²Consists of 11.4 acres in the western portions of the Warren (Garin Vista) and Warren (Central) properties that are shown on the map in Exhibit D.

STATEMENT OF OVERRIDING CONSIDERATIONS

addressing the Significant Unavoidable Impact identified in
the Final Environmental Impact Report
on the Mission-Garin Annexation Project

The City of Hayward adopts and makes this statement of overriding considerations concerning adoption of the proposed amendments to the General Plan and Zoning Ordinance related to the Mission-Garin Annexation Project and the resulting unavoidable significant impact to explain why the benefits of implementing the Mission-Garin Annexation proposal override and outweigh its unavoidable impacts.

The Environmental Impact Report on the Mission-Garin Annexation Project has concluded that certain impacts are potentially significant, and possibly unavoidable, because the programmatic character of the Mission-Garin Annexation proposal and the analytical limitations of the Program Environmental Impact Report cannot determine with certainty that impacts would be mitigated in each case. The Significant Unavoidable Impact is summarized below.

Regional Traffic Growth and Roadway Congestion (Impact 4.11-3). Although the proposed project would result in development that would be no more intensive than that envisioned in the General Plan, traffic in the City is expected to increase as a result of continued development. As reflected in Table 6.6 of the General Plan Update EIR, some intersections within the City are expected to have Level of Service E or F in the year 2025. The General Plan Update EIR indicates that regional through traffic accounts for up to 25 to 30 percent of the peak hour trips on some major arterials within the City and that "the City's ability to mitigate this traffic through land use planning is limited." The General Plan Update EIR concluded that "it is likely that some roadways will continue to operate at less than acceptable levels due to physical constraints, funding limitations, and regional growth patterns. Therefore, the overall traffic impact is expected to be significant and unavoidable."

Adoption and implementation of the Mission-Garin Annexation Project will bring substantial benefits to the City of Hayward. The Project is being proposed, despite the potential for this unavoidable significant impact, because the City believes the Project provides for additional housing that is consistent with transit-oriented development policies and will assist in meeting the City's share of the regional housing need without substantially increasing traffic impacts compared to existing trends. Therefore, the City of Hayward finds that the unavoidable impacts associated with adoption of the Mission-Garin Annexation Project are acceptable in light of the above benefits.

Mission-Garin Annexation Project

Draft Mitigation Monitoring and Reporting Program

June 19, 2003

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Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.1-1: Aesthetics and Views/Vistas. Approval of any of the proposed Land Use Alternatives would represent an impact to aesthetic conditions, since views of existing minimally developed hillside areas would be converted to views of residential development. The degree of impact would be greater under Alternatives B, C and D, all of which include a greater number of proposed dwellings than Alternatives A and E. There would also be visual impacts due to the location of one or more additional water reservoirs within the project area <i>(potentially significant impact and mitigation required)</i>.</p>	<p>Mitigation Measure 4.1-1: Individual development projects submitted to the City of Hayward shall comply with the City's Hillside Design Guidelines, the provisions of the Special Design District (SD-5), and other applicable hillside development standards contained in the General Plan and Mission-Garin Neighborhood Plan. To the extent feasible, development projects shall include:</p> <ul style="list-style-type: none"> a) Use of non-reflective glazing and prohibitions on reflective metal roofing, garage doors and trim material. b) Use of earth tone field and trim colors for residential dwellings c) Use of roof forms that minimize exposure of buildings. d) Design of roadways that minimize views of pavement beyond the project site. 	<p>Project Developers, including project architects, landscape architects, engineers and construction contractors</p>	<p>a through h): City of Hayward Planning Division and Building Division d, h): City of Hayward Engineering & Transportation Division</p>	<p>During Site Plan Reviews of individual development projects and subdivisions to ensure design measures are incorporated into projects, and during grading and construction operations and inspections to ensure project designs are implemented</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
	<p>e) Use of other techniques required by the City's Hillside Design Guidelines to minimize aesthetic impacts of individual residences, including but not limited to building design, use of landscaping screening and similar techniques.</p> <p>f) Encourage future development to be clustered.</p> <p>g) Dwellings should be setback from the crest of hill or the top of a slope so as to provide maximum visual screening between any new development and Garin Regional Park.</p> <p>h) Future water reservoirs should be fully or partially buried in the ground, if financially feasible, to reduce the visibility of these structures. If not feasible, they shall be painted neutral, earth-tone colors to blend in with the natural environment and screened with trees and shrubs.</p>			

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.1-2: Landform and topography. Changes to existing landform and topography would be required to accommodate proposed dwelling units and local roadways under each of the proposed General Plan alternatives. Alternatives with fewer dwellings (Alternatives A and E) would generally require less grading and landform modification than alternatives with greater numbers of dwellings (Alternatives B, C and D) (<i>significant impact and mitigation required</i>).</p>	<p>Mitigation Measure 4.1-2: Future individual development projects shall adhere to City of Hayward Hillside Design Guidelines and the provisions of the Special Design District (SD-5) to minimize impacts to existing landforms, including but not limited to:</p> <ul style="list-style-type: none"> a) Limitation of grading on slopes of 25 percent or greater. b) Slopes of streets will not exceed 12 percent unless necessary to minimize grading. If such cuts to minimize grading cannot be avoided, these areas shall be revegetated as soon as possible after construction. c) Grading shall follow existing topographic forms to the fullest extent possible, with the tops and toes of slopes rounded to provide smooth transitions between grade changes. d) Residential streets shall be designed as narrow as possible to reduce grading, but providing adequate access for pedestrians, emergency and service vehicles. 	<p>Project Developers, including project architects, engineers and grading and construction contractors</p>	<p>City of Hayward Planning Division and City of Hayward Engineering & Transportation Division</p>	<p>During Site Plan Reviews of individual development projects and subdivisions to ensure grading restrictions are incorporated into project designs, and during grading operations and inspections to ensure project designs are implemented</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.1-3: Light and glare impacts. Additional sources of light and glare would be added to the project area under proposed Alternatives A through D. This would be a significant impact given the general absence of light sources currently on the project site (<i>significant impact and mitigation required</i>). Light and glare impacts would likely be less-than-significant under Alternative E, which would prohibit new development on sites with a topographic elevation greater than 200 feet above sea level.</p>	<p>Mitigation Measure 4.1-3: Detailed Lighting Plans shall be submitted as part of all future development projects. Lighting Plans shall include lighting fixtures to be employed and specific measures to be taken to ensure that lighting off of the project site will be minimized.</p>	<p>Project Developers, including project architects and construction contractors</p>	<p>City of Hayward Planning Division and Building Division</p>	<p>During Site Plan Reviews of individual development projects and subdivisions to ensure restrictions on lighting are incorporated into project designs, and during construction and at inspections to ensure approved lighting fixtures are installed</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.2-1: Construction impacts. The effects of project construction activities anticipated as a result of implementing General Plan land uses for the project area would increase dustfall and locally elevated levels of PM10 downwind of construction activity. Construction dust has the potential for creating a nuisance at nearby properties, including Garin Regional Park. Development of fewer dwellings under Alternatives A and E would generally result in less intense construction air quality impacts, although still potentially significant (<i>potentially significant impact and mitigation required</i>).</p>	<p>Mitigation Measure 4.2-1: Future development projects within the Mission-Garin project area shall incorporate dust control measures into grading, demolition and construction plan specifications, to include but not be limited to frequent watering of the site, use of soil stabilizers, hydroseeding of graded areas and other measures that comply with BAAQMD recommendations for dust control.</p>	<p>Project Developers, including project grading and construction contractors</p>	<p>City of Hayward Building Division and Engineering & Transportation Division</p>	<p>During construction and grading operations</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Impact 4.2-2: Demolition impacts. Demolition of existing structures within the project area could release toxic air contaminants into the atmosphere, especially lead-based paints and asbestos containing materials <i>(potentially significant impact and mitigation required).</i>	Mitigation Measure 4.2-2: Prior to removal of major structures within the project area, the following measures shall be undertaken: <ul style="list-style-type: none"> a) An asbestos survey of existing structures shall be performed consistent with National Emissions Standards for Hazardous Air Pollution guidelines. If warranted, a remediation plan to remove asbestos shall be prepared and implemented. b) A lead based paint survey shall be conducted for each structure to be removed. 	Project Developers, including project specialists/consultants and construction/demolition contractors	City of Hayward Fire Department and Building Division	Prior to issuance of demolition or grading permits, and, if remediation is required, during demolition and grading

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.3-1: Wetlands and other waters). Under Alternatives A, B, C and D, development activities on properties within the project area could have a potentially significant impact on creeks and streams and jurisdictional wetlands and other waters of the United States and waters of the State of California (<i>potentially significant impact and mitigation is required</i>). No impacts would result under Alternative E since no development near wetlands or other waters would occur.</p>	<p>Mitigation Measure 4.3-1:</p> <p>a) In order to ensure that all jurisdictional wetlands and other waters are identified, formal jurisdictional delineations of wetlands and other waters should be conducted on a project specific basis as part of the normal environmental review process for specific development projects. Jurisdictional delineations should follow the methodology set forth in the 1987 U.S. Army Corps of Engineers Wetlands Delineation Manual and should be submitted to the Corps for verification prior to project development.</p>	<p>Project Developers, including qualified project biological-hydrological consultants</p>	<p>City of Hayward Planning Division and Engineering and Transportation Division and the U.S. Army Corps of Engineers</p>	<p>Prior to issuance of demolition, building or grading permits</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
	<p>b) If avoidance of wetlands or other waters is not possible, then impacts should be minimized to the maximum extent that is practicable and required approvals and permits obtained from appropriate federal and state regulatory agencies. If impacts to wetlands or other waters cannot be minimized and are unavoidable, these impacts should be compensated for by developing and implementing a comprehensive mitigation plan, acceptable to the Corps, CDFG, and RWQCB to offset these losses. It is recommended that mitigation be conducted within the study area. If this is not possible, then an off-site mitigation area should be selected that is as close to the study area as possible and acceptable to the resource agencies.</p>	<p>Project Developers, including qualified project biological-hydrological consultants, and grading and construction contractors</p>	<p>City of Hayward Planning Division and Engineering and Transportation Division, U.S. Army Corps of Engineers, California Regional Water Quality Control Board, California Department of Fish and Game</p>	<p>Development of the comprehensive mitigation plan, if required, shall be done prior to issuance of demolition, building or grading permits and implemented during and after grading and construction</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.3-3: California Buckeye and Coast Live Oak/California Bay Woodlands. Proposed development under Alternatives A through D could result in removal of approximately 0.14 acre of California Buckeye and Coast Live Oak/California Bay Woodlands (<i>potentially significant impact and mitigation is required</i>). No impacts to California Buckeye and Coast Live Oak/California Bay Woodlands areas would occur under Alternative E, since no development would occur in this vegetation type.</p>	<p>Mitigation Measure 4.3-3: Specific development projects should avoid removal of these tree types if at all possible. If avoidance is determined by the City to be infeasible, suitable replacement habitat should be provided at a ratio of 1 acre lost to 1.5 acres created. New habitat should be planted at a density that would create a 50 percent canopy cover of native trees in 10 years. A mitigation and monitoring plan should be developed and implemented after approval by the City.</p>	<p>Project Developers, including project arborists-landscape architects, and grading and construction contractors</p>	<p>City of Hayward Planning Division</p>	<p>Measures, where appropriate, shall be implemented prior to issuance of demolition, building or grading permits and also during construction and grading operations</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.3-4: Protected trees. Proposed development could result in the loss of large trees that are regulated by the City of Hayward's Tree Protection Ordinance (<i>potentially significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.3-4: At the project specific level of future development, an inventory of protected trees covered under the City's ordinance should be completed. In accordance with the City's ordinance, future specific developments shall be designed to preserve trees. Those trees that must be removed for critical reasons, as determined by the City, shall be replaced with like sizes of the same tree species, or trees of a similar value. It is recommended that replacement be made with species native to the East Bay hills. Tree replacement plan acceptable to the City shall be implemented at the project specific level.</p>	<p>Project Developers, including project arborists-landscape architects, and grading and construction contractors</p>	<p>City of Hayward Planning Division</p>	<p>Inventories shall be conducted prior to submittal of development applications and measures, where appropriate, shall be implemented prior to issuance of demolition, building or grading permits and also during construction and grading operations</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.3-5: California red-legged frog. Future development under all of the proposed alternatives could impact California red-legged frogs and/or their occupied habitat, Alternatives A through D could each impact an estimated 89.1 acres of potential habitat, while Alternative E could impact an estimated 12.6 acres of potential habitat (<i>significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.3-5: A California red-legged frog site assessment following USFWS guidance (<i>USFWS Guidance on Site Assessment and Field Surveys for California Red-legged Frogs</i>, dated February 18, 1997) shall be required as part of project-level biological assessments within the annexation area. These site assessments shall be submitted to the USFWS for review and confirmation. If California red-legged frog and/or occupied habitat are determined to be present, then a project specific California red-legged frog mitigation plan should be developed, approved by the USFWS and CDFG prior to development, and implemented.</p>	<p>Project Developers, including qualified project biological consultants and grading and construction contractors</p>	<p>City of Hayward Planning Division and the US Fish and Wildlife Service and the California Department of Fish and Game</p>	<p>Site assessments shall be conducted prior to submittal of development applications. Mitigation plans, if required, shall be developed prior to issuance of demolition, building or grading permits and implemented during and, if required, after construction and grading operations.</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.3-6: Alameda whipsnake. Proposed future development under all of the proposed alternatives could impact Alameda whipsnake species, their occupied habitat and/or designated critical habitat areas containing primary constituent elements. Alternatives A through D could impact an estimated 21.3 acres of habitat each, while Alternative E could impact an estimated 1.2 acres of habitat (<i>significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.3-6: A focused habitat assessment shall be conducted as part of project-level biological assessments to determine if suitable habitat for Alameda whipsnake is present. This habitat assessment shall also evaluate whether the Primary Constituent Elements for critical habitat are present. The results of the focused habitat assessment shall be submitted to the USFWS for confirmation and to determine the need for protocol-level surveys. If the USFWS determines that impacts to Alameda whipsnake could result from a particular project based on the results of the habitat assessment or protocol-level surveys, a project specific Alameda whipsnake mitigation plan shall be developed, approved by the USFWS and CDFG prior to development, and implemented.</p>	<p>Project Developers, including qualified project biological consultants and grading and construction contractors</p>	<p>City of Hayward Planning Division and the US Fish and Wildlife Service and the California Department of Fish and Game</p>	<p>Site/habitat assessments shall be conducted prior to submittal of development applications.</p> <p>Mitigation plans, if required, shall be developed prior to issuance of demolition, building or grading permits and implemented during and, if required, after construction and grading operations.</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.3-7: Nesting Raptors and Shrikes. Impacts to special-status nesting species of raptors and shrikes would be considered significant if activities are within the following line-of-sight buffers: 250 feet for Western burrowing owl; 0.25 mile for golden eagle; 200 feet for loggerhead shrike; and 300 feet for all other raptors (<i>potentially significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.3-7:</p> <p>a) As part of environmental reviews for future specific development projects, surveys shall be conducted for these species on a project specific basis to determine if they are nesting within or adjacent to a proposed project area. Survey protocol should be approved by the resource agencies.</p> <p>b) If such surveys document active nests of any of these species within the line-of-sight buffers specified above, it is recommended that construction activity within the buffer zone be completed before the nesting season or be postponed until after the nesting season. The nesting season for raptors and shrikes typically includes the period from March through the end of August. (CDFG protocols should be implemented for impacts to burrowing owls).</p>	<p>Project Developers, including qualified project biological consultants and grading and construction contractors</p>	<p>City of Hayward Planning Division and the US Fish and Wildlife Service and the California Department of Fish and Game</p>	<p>Surveys shall be conducted prior to submittal of development applications.</p> <p>Mitigation measures, if required, shall be followed prior to issuance of demolition, building or grading permits and implemented during and, if required, after construction and grading operations.</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.3-8: Golden Eagle. Approval of the proposed project may have significant impacts to Golden Eagles and/or their nests (<i>potentially significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.3-8 (Golden Eagle): a) As part of future environmental reviews for specific development projects, studies shall be conducted, during the breeding season, to determine if the annexation area is important as a foraging area for neighboring golden eagle pairs that nest in the vicinity (<i>e.g.</i>, Walpert Ridge). Such studies should emphasize existing information, if available, including review of existing records and studies in the vicinity and personal interviews with agency biologists and other knowledgeable persons. If information on golden eagle use of the project area is limited, additional field surveys of the study and adjoining areas, where possible, should be conducted. These surveys should be performed and approach developed in consultation with California Department of Fish and Game staff.</p>	<p>Project Developers, including qualified project biological consultants and grading and construction contractors</p>	<p>City of Hayward Planning Division and the California Department of Fish and Game</p>	<p>Studies shall be conducted during the Golden Eagle breeding season and prior to submittal of development applications.</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
	<p>b) Development in the project area within 0.25 mile and in direct line-of-sight of an active golden eagle nest could cause nest abandonment and should be avoided. Because of the importance of golden eagles, this avoidance would pertain to any development within the 0.25-mile direct line-of-sight zone as long as the eagles continue to nest in the area. That is, this avoidance is not just a seasonal restriction during the breeding season, but would be in effect during the entire tenure of eagles nesting within this sensitive zone.</p> <p>c) If portions of the project area are determined to be within the foraging habitat for nesting golden eagles, that portion of the annexation area containing California annual grassland, bordering Garin Regional Park, and within 0.25 mile of an active nest should be avoided.</p>			<p>Avoidance of development within the specified areas, if required, shall be followed during the entire tenure of eagles nesting within this sensitive zone.</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.3-9: Special-status plants. A total of eight special-status plant species have the potential to occur within the project area. With the exception of a focused rare plant surveys conducted on the Garin Vista property in May, 2001 (WRA 2001c), no focused rare plant surveys have been conducted in the project area. Direct disturbance to and/or removal of special-status plants would be considered a significant impact (<i>potentially significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.3-9: If special-status species are found, they should be avoided to the greatest extent practicable. A Rare Plant Mitigation and Monitoring Program should be developed to provide for the long term protection of special-status plants. For state or federally listed plants, where on-site avoidance and preservation is not feasible, off-site mitigation areas supporting the applicable species should be acquired at a minimum ratio of 2:1 (acquired:impacted). The location of the off-site mitigation area(s) shall be determined in cooperation with and subject to the approval of the City, USFWS, CDFG. The East Bay Chapter of CNPS should be consulted regarding appropriate off-site mitigation areas. For other special-status species, suitable habitat on-site shall be preserved and seeded with seed collected from impacted plants.</p>	<p>Project Developers, including qualified project biological consultants and grading and construction contractors</p>	<p>City of Hayward Planning Division, the US Fish and Wildlife Service, the California Department of Fish and Game, and the California Native Plant Society (East Bay Chapter)</p>	<p>The Rare Plant Mitigation and Monitoring Program shall be developed prior to submittal of development applications and prior to issuance of demolition, construction, or grading permits.</p> <p>Off-site mitigation areas, if required, shall be acquired prior to issuance of demolition, construction, or grading permits.</p> <p>Mitigation areas shall be developed and seeded prior to completion of projects and issuance of certificates of occupancy.</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.4-1: Archeological and Native American resources. Although no prehistoric or archeologically significant resources have been identified within the project area, construction of new buildings, structures, underground utility lines and similar facilities could result in disturbance to archeological and/or Native American resources (<i>potentially significant and mitigation is required</i>).</p>	<p>Mitigation Measure 4.4-1: All future development projects within the project area shall be evaluated as part of normal CEQA-level review to identify potential impacts to subsurface archeological or Native American artifacts. If an archeological or Native American artifact is identified, work on the project shall cease until a resource protection plan conforming to CEQA Section 15064.5 is prepared by a qualified archeologist and approved by the Hayward Community and Economic Development Director. Project work may be resumed in compliance with such plan. If human remains are encountered, the County Coroner shall be contacted immediately and procedures followed as specified in CEQA Guidelines Section 15064.5 (e).</p>	<p>Project Developers, including qualified project archaeologists and grading contractors</p>	<p>City of Hayward Planning Division</p>	<p>Evaluations shall be done for specific projects prior to issuance of grading or construction permits.</p> <p>Mitigations, if required, shall be implemented during projects construction.</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.5-1: Seismic fault rupture and fault creep. A major earthquake on the Hayward Fault could result in ground fault rupture within the project area with the potential to damage or destroy existing and future dwelling units, roads, utilities and other structures constructed within the project area. The potential for damage to structures roads and utilities related to fault creep around the Hayward Fault has been determined to be significant in the General Plan EIR on a city-wide basis (<i>potentially significant impact and mitigation required</i>).</p>	<p>Mitigation Measure 4.5-1: Site-specific geologic fault investigations shall be undertaken for all new individual development projects within the State-defined Earthquake Fault Zone. Each investigation shall include a confirmation that new habitable structures would not be placed on or within 50 feet of an active fault trace. Additionally, all new dwellings, roads and utility lines shall be subject to site-specific geotechnical evaluations with a requirement that all future utility lines that cross faults be fitted with shut-off valves and/or other materials and/or devices to accomplish the same objective, as approved by the Hayward Public Works Department. Implementation of these evaluations shall be required to ensure consistency with the Uniform Building Code and all other applicable seismic safety requirements.</p>	<p>Project Developers, including qualified project engineering geologists, geotechnical engineers and structural engineers, and grading and construction contractors</p>	<p>City of Hayward Planning Division, Building Division and Engineering and Transportation Division</p>	<p>Investigations shall be conducted prior to submittal of development applications and associated recommendations are to be implemented during grading and construction operations</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.5-2: Seismic ground shaking. During a major earthquake along a segment of the Hayward Fault or one of the other nearby faults, moderate to strong ground shaking can be expected to occur within the project area. Strong shaking during an earthquake could result in damage to buildings, roads, utility lines and other structures with associated risk to residents, employees and visitors in the area (<i>potentially significant impact and mitigation required</i>).</p>	<p>Mitigation Measure 4.5-2: Site specific geotechnical investigations shall be required for each building or group of buildings (such as in a subdivision), roads and utility lines constructed in the project plan area. Investigations shall be completed by a geotechnical engineer registered in California. Design and construction of structures shall be in accordance with the recommendations contained in the reports. Generally, such recommendations will address compaction of foundation soils, construction types of foundations and similar items. Implementation of these evaluations shall be required to ensure consistency with the Uniform Building Code and all other applicable seismic safety requirements.</p>	<p>Project Developers, including qualified project geotechnical engineers and structural engineers, and grading and construction contractors</p>	<p>City of Hayward Planning Division, Building Division and Engineering and Transportation Division</p>	<p>Investigations shall be conducted prior to submittal of development applications and associated recommendations are to be implemented during grading and construction operations</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Impact 4.5-3: Ground failure and landslides. Damage to structures and other improvements within the project area could occur from landslides and seismically-induced ground failure, resulting in damage to improvements and harm to project area residents and visitors (<i>potentially significant impact and mitigation required</i>).	Mitigation Measure 4.5-3: Site-specific geotechnical investigations required as part of Mitigation Measure 4.5-2 shall also address the potential for landslides, including seismically induced landslides and include specific design and construction recommendations to reduce landslides and other seismic ground failure hazards to less-than-significant levels.	Project Developers, including qualified project geotechnical engineers and structural engineers, and grading and construction contractors	City of Hayward Planning Division, Building Division and Engineering and Transportation Division	Investigations shall be conducted prior to submittal of development applications and associated recommendations are to be implemented during grading and construction operations
Impact 4.5-4: Grading and topographic changes. Future development of the project area would require grading and re-contouring of existing topographic elevations. Impacts would be greater under Alternatives B, C and D and less under Alternative A and even less under Alternative E (<i>potentially significant impact and mitigation required</i>).	Mitigation Measure 4.5-4: See Mitigation Measure 4.5-2, which requires implementation of recommendations from site specific geotechnical reports for future individual developments within the project area, which will serve to reduce impacts related to grading and topographic changes to less-than-significant levels.	Project Developers, including qualified project engineering geologists, geotechnical engineers and structural engineers, and grading and construction contractors	City of Hayward Planning Division, Building Division and Engineering and Transportation Division	Investigations shall be conducted prior to submittal of development applications and associated recommendations are to be implemented during grading and construction operations

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.6-1: Demolition and hazardous air emissions. Demolition of existing buildings, utility facilities and other older facilities could release hazardous and potentially hazardous material into the atmosphere including asbestos containing materials and lead-based paints, potentially resulting in health hazards to construction employees and local visitors and residents (<i>potentially significant impact and mitigation required</i>). Release of asbestos-containing material from future disturbance of serpentinite rock is also a potentially significant impact (<i>potentially significant impact and mitigation required</i>).</p>	<p>Mitigation Measure 4.6-1a: Prior to commencement of demolition activities within the project area, project developers shall contact the Alameda County Environmental Health Department, Bay Area Air Quality Management District, Department of Toxic Substances Control and the Hazardous Materials Division of the Hayward Fire Department, for required site clearances, necessary permits and facility closure with regard to demolition and removal of hazardous material from the site. All work shall be performed by licensed contractors in accord with state and federal OSHA standards. Worker safety plans shall be included for all demolition plans.</p>	<p>Project Developers, including licensed project contractors</p>	<p>City of Hayward Fire Department – Hazardous Materials Division, Alameda County Environmental Health Department, California Bay Area Air Quality Management District, California Department of Toxic Substances Control</p>	<p>Required site clearances and related permits are to be obtained prior to demolitions and any required measures are to be implemented during demolitions</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
	Mitigation Measure 4.6-1b: Prior to commencement of grading activities within the project area, project developers shall conduct investigations by qualified hazardous material consultants to determine the presence or absence of asbestos containing material in the soil. If such material is identified that meets actionable levels from applicable regulatory agencies, remediation plans shall be prepared to remediate any hazards to acceptable levels, including methods or removal and disposal of hazardous material, worker safety plans and obtaining necessary approvals and clearances from appropriate regulatory agencies, including but not limited to the Hayward Fire Department, Department of Toxic Substances Control and Bay Area Air Quality Management District.	Project Developers, including licensed project grading contractors	City of Hayward Fire Department – Hazardous Materials Division, Alameda County Environmental Health Department, California Bay Area Air Quality Management District, California Department of Toxic Substances Control	Required site clearances and related permits are to be obtained prior to grading and any required measures are to be implemented during grading activities

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.6-2: Lead and unexploded ammunition exposure). Development of residential land uses on the Garin pistol range project could expose future construction workers, residents and visitors to lead deposits and possibly unexploded ammunition (<i>potentially significant impact and mitigation required</i>).</p>	<p>Mitigation Measure 4.6-2: Prior to approval of any development on the Garin pistol range property, a detailed analysis shall be conducted by a qualified hazardous materials firm to determine the presence or absence of lead and unexploded ammunition. If any of these substances are encountered, a detailed work program shall be prepared and approved by appropriate regulatory agencies indicating how site soils will be remediated to applicable safety standards.</p>	<p>Project Developers for the Garin pistol range site, including licensed project contractors</p>	<p>City of Hayward Fire Department – Hazardous Materials Division, California Department of Toxic Substances Control</p>	<p>Site analysis to be conducted prior to submittal of development applications for the site and any required measures are to be implemented during demolition</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.7-1: Soil erosion. During construction, short-term increases of soil erosion could result due to exposure to wind and water erosion as the project area is stripped of limited natural vegetation. Impacts would be greater under Alternatives B, C and D and less under Alternatives A and E (<i>potentially significant impact and mitigation required</i>).</p>	<p>Mitigation 4.7-1: Individual project developers within the project area shall prepare an erosion and sedimentation control plan for implementation throughout project construction. The plan should be prepared in accordance with the most current City of Hayward and RWQCB design standards.</p>	<p>Project Developers, including project engineers</p>	<p>City of Hayward Engineering and Transportation Section, Alameda County Flood Control and Water Conservation District</p>	<p>Plans shall be developed and approved prior to issuance of grading and construction permits and implemented throughout projects construction periods</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.7-3: Stormwater runoff and drainage patterns. Development of the project area without adequate detention facilities would increase the amount of stormwater runoff from the project area and also increase erosion in the downstream earth channels, since existing open spaces would be converted to new dwellings, roads and similar impervious surfaces. Existing drainage patterns could also be changed based on individual site grading operations, with resulting impacts to downstream drainage facilities. Stormwater and drainage impacts would generally be greater under Alternatives B, C and D and less under Alternatives A and E (<i>potentially significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.7-3: All new development applications within the project area shall be accompanied by a drainage and hydrology study, prepared by a California-registered civil engineer, and utilizing the Alameda Flood Control and Water Conservation District's latest hydrology and detention pond design criteria. Each report shall document existing drainage quantities and direction, estimated increases in stormwater runoff from the proposed project, and estimated detention/retention facilities to ensure no new increase in runoff. If it is not possible to eliminate all downstream impacts, such reports shall contain an evaluation of project impacts on the hydraulic geometry of the affected stream channel and any mitigation measures that can be implemented to avoid changes to the hydraulic geometry of those stream channels, to be prepared by a fluvial geomorphologist with experience in stream protection/restoration activities.</p>	<p>Project Developers, including project engineers and, if appropriate, fluvial geomorphologists</p>	<p>City of Hayward Engineering and Transportation Section, Alameda County Flood Control and Water Conservation District and, if appropriate, the California Department of Transportation</p>	<p>Studies shall be developed and approved prior to issuance of grading and construction permits and implemented throughout projects construction periods</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
	<p>New development projects will be required to provide on-site detention and/or retention facilities to ensure that no net increase in downstream rate of stormwater flows occurs. Reports shall be approved by the Hayward Public Works Director in consultation with the Alameda Flood Control and Water Conservation District prior to issuance of a grading permit. Reports for projects that could impact downstream state drainage facilities shall be routed to the State Department of Transportation for review.</p>			

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.8-2: Surrounding land use impacts. Potentially significant impacts could result with eventual construction of residential dwellings under Alternatives B, C and D adjacent to Garin Regional Park. Impacts could include the potential for slope failure due to grading within the project area and general residential/open space interface impacts (<i>potentially significant impact and mitigation required</i>).</p>	<p>Mitigation Measure 4.8-2: Future individual development projects under Alternatives B, C and D shall:</p> <ul style="list-style-type: none"> a) Maintain an appropriate buffer between residential dwellings and the westerly boundary of Garin Regional Park to minimize slope failure and provide a land use buffer between these land uses. The location and width of the buffer shall be determined through the City of Hayward development review process. b) Provide suitable fencing along common property lines with the Regional Park with the specific design and location of fencing to be determined through the development review process. 	<p>Developers of projects located along the Garin Regional Park boundary</p>	<p>City of Hayward Planning Division</p>	<p>Establishment and design of buffers to be done during development review and implemented during projects construction</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.9-1: Construction noise impacts. Future residents within the project area and nearby areas, including Garin Regional Park, could be subject to short-term but potentially significant noise due to the construction of new buildings, roadways and associated infrastructure improvements within the project area. Construction noise impacts would be greater for Alternatives B, C and D and less intense for Alternatives A and E, which would allow fewer dwellings and related improvements (<i>potentially significant and mitigation required</i>).</p>	<p>Mitigation Measure 4.9-1: Construction Noise Management Plans shall be prepared for all development projects within the project area, including public and private areas. Each Plan shall identify measures to be taken to minimize construction noise on surrounding developed properties. Noise Management Plans shall be approved by the City of Hayward Community and Economic Development Director prior to issuance of grading permits and shall contain, at minimum, a listing of hours of construction operations, use of mufflers on construction equipment, limitation on on-site speed limits, identification of haul routes to minimize travel through residential areas and identification of noise monitors. Specific noise management measures shall be included in appropriate contractor specifications.</p>	Project Developers	City of Hayward Planning Division	Noise mitigation plans to be developed and approved prior to issuance of grading permits and implemented during projects construction

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.9-2: Quarry noise impacts. Future dwellings near the La Vista Quarry could be subject to significant noise levels from quarry operations, reclamation activities and/or haul truck traffic. Quarry related noise is planned to cease in 2008 with the closing of the quarry and completion of the reclamation plan (<i>potentially significant and mitigation required</i>).</p>	<p>Mitigation Measure 4.9-2: If the La Vista Quarry operation is in existence at the time of future development near the quarry, site-specific acoustic reports shall be prepared for future residential construction located near the La Vista Quarry, as determined by the City of Hayward. Each report shall include an analysis of potential noise exposure from quarry operations and include specific measures to reduce interior and exterior noise exposure levels to comply with City of Hayward noise standards.</p>	<p>Project Developers, including qualified acoustical consultants</p>	<p>City of Hayward Planning Division and Building Division</p>	<p>Acoustic studies, if required, shall be conducted prior to submittal of development applications.</p> <p>Any recommendations from such reports shall be implemented during construction.</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Impact 4.9-3: Permanent noise impacts. Future permanent noise impacts within the project area would generally be less-than-significant, however, future residential development under Alternatives A-D could generate potentially significant noise levels into Garin Regional Park (<i>potentially significant and mitigation required</i>).	Mitigation Measure 4.9-3: Site-specific acoustic reports shall be prepared for future residential construction located near Garin Regional Park. Each report shall include an analysis of potential noise exposure from residential development and include specific measures to reduce exposure levels within the regional park to City of Hayward noise standards.	Project Developers, including qualified acoustical consultants	City of Hayward Planning Division and Building Division	Acoustic studies shall be conducted prior to submittal of development applications. Any recommendations from such reports shall be implemented during construction.

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.11-1: Mission Boulevard/Tennyson Road intersection. It is assumed that any future development project located to the west of Mission Boulevard in the vicinity of Tennyson Road will require an extension of Tennyson Road to the west of Mission Boulevard, regardless of the network scenario implemented (No 238 Improvements, SR 238 Alternative, SR 238 Bypass). Also, additional improvements to the intersection would be required (<i>potentially significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.11-1: In order to provide access to any future development west of Mission Boulevard in the vicinity of Tennyson Road, construction of a new roadway west of Mission Boulevard that extends Tennyson Road that will provide one westbound right turn lane, one through lane, and one left turn lane will be required. The eastbound approach of Tennyson Road will be modified to add one shared through-right lane. The northbound approach of Mission Boulevard will be modified to add a shared through-right lane. Finally, the Mission Boulevard southbound approach will be modified to add one left turn lane and to convert one existing through lane into a shared through-right lane (see Figure 4.11.2). All improvements can be constructed within the existing right-of-way.</p>	<p>Project Developers, including project engineers and construction and grading contractors</p>	<p>City of Hayward Engineering and Transportation Division, California Department of Transportation</p>	<p>During project construction and prior to project finalization</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.11-2: Mission Boulevard/Calhoun-Jefferson Street intersection. In the AM peak, No SR 238 Improvements Scenario, Alternative C, the Mission-Calhoun-Jefferson intersection would operate at LOS F in the AM peak, which is the peak hour of utilization by the schools. The intersection operates at LOS E in the PM peak in the same development alternative and network scenario <i>(potentially significant impact and mitigation is required)</i>.</p>	<p>Mitigation Measure 4.11-2: By restriping the westbound approach to provide separate left and right turn lanes (which will require removal of on-street parking and some minor street widening), the LOS in the AM peak would improve to E in the No 238 Improvements Scenario and in all likelihood, to LOS D in the PM peak (given that the highest period of congestion is the AM peak).</p>	<p>Project Developers, including project engineers and construction and grading contractors</p>	<p>City of Hayward Engineering and Transportation Division, California Department of Transportation</p>	<p>During project construction and prior to project finalization</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.11-3: Regional Traffic Growth and Roadway Congestion. Although the proposed project would result in development that would be no more intensive than that envisioned in the General Plan, traffic in the City is expected to increase as a result of continued development. As reflected in Table 6.6 of the General Plan Update EIR, some intersections within the City are expected to have levels of service of E or F in the year 2025. The General Plan Update EIR indicates that regional through traffic accounts for up to 25 to 30% of the peak hour trips on some major arterials within the City and that "the City's ability to mitigate this traffic through land use planning is limited." The General Plan Update EIR concluded that "it is likely that some roadways will continue to operate at less than acceptable levels due to physical constraints, funding limitations, and regional growth patterns. Therefore, the overall traffic impact is expected to be significant and unavoidable." A statement of</p>	<p>No mitigation measures available – See statement of overriding considerations.</p>			

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.13-1: Local and community park and recreation facilities. Approval and implementation of the proposed project would increase the demand for local and community park and recreation facilities within the Mission-Garin area. Park requirements under Alternatives B, C and D would be greater than under Alternatives A and E. Since no park areas are presently planned within the project area, and the project area has been identified as underserved by local parks in the HARD Master Plan, this would be a significant impact (<i>significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.13-1: Developers of future residential projects within the project area shall provide fully improved park(s), acceptable to HARD, commensurate with the level of development, or contribute in other ways, as deemed acceptable by HARD and the City, to the construction of related facilities.</p>	<p>Project Developers</p>	<p>City of Hayward Planning Division, Hayward Area Recreation and Park District</p>	<p>During project construction and prior to project finalization</p>

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
Impact 4.13-2: Garin Regional Park access. Construction of future residential development within the northern project area along Calhoun Street could restrict future access to Garin Regional Park through loss of the existing access route to the Park at the terminus of Calhoun Street (<i>significant impact and mitigation is required</i>).	Mitigation Measure 4.13-2: Developers of future residential projects within the project area shall ensure existing access into Garin Regional Park for EBRPD staff. Such access assurance shall be approved by the East Bay Regional Park District staff and City of Hayward Community and Economic Development Director prior to the approval of any subdivision maps with such assurance of access to be recorded to ensure permanent access is maintained.	Project Developers	City of Hayward Planning Division, East Bay Regional Park District	Prior to the approval of any subdivision maps with such assurance of access to be recorded prior to project finalization

Environmental Impact	Mitigation Measure	Implementing Responsibility	Monitoring Responsibility	Timing
<p>Impact 4.13-4: Local schools. Implementation of the proposed project would generate an estimated range of 30 to 320 elementary school students, 7 to 72 middle school students and 16 to 168 high school students at project buildout under the various land use alternatives. Significant impacts would occur at the K-6 level, with a maximum estimated capacity deficiency of 357 students under Alternative C. These calculations assume no use of portable classrooms since portables are not considered permanent solutions and may result in overuse of non-classroom facilities, such as school libraries, food serves and similar facilities (<i>potentially significant impact and mitigation is required</i>).</p>	<p>Mitigation Measure 4.13-4: Prior to approvals of land use entitlements for individual development projects under Alternatives B, C or D (or some other land use alternative that would result in similar student yields), project developers shall assure the construction of a new elementary school to the standards of the Hayward Unified School District. Construction of a school under these alternatives shall be in lieu of payment of school impact fees. Mitigation for school impacts under Alternatives A, E or some other alternative that is ultimately approved that would result in similar student yields shall include only payment of school impact fees.</p>	<p>Project Developers</p>	<p>City of Hayward Planning Division, Hayward Unified School District</p>	<p>For school impact fees, payment shall occur prior to project finalization and issuance of certificates of occupancy.</p> <p>For a new school, construction is to be completed prior to project finalization and issuance of certificates of occupancy.</p>

FINDINGS FOR APPROVAL

Mission-Garin Annexation Project General Plan Amendment

June 26, 2003

1. The proposed project reflects the City's development goals and objectives as articulated in the General Plan in that it responds to and expands the City's commitment to smart growth principles and transit-oriented development.
2. The proposed land use is consistent with the City's General Plan in that the project will focus housing developed at higher densities close to transit corridors and will help the City accommodate its share of the regional housing need without expansion into areas that are less suitable for residential development.
3. The recommended land use pattern limits the amount of development along and east of the main traces of the Hayward Fault and minimizes the consequent impacts on City emergency services and economic resources.
4. The proposed land use pattern avoids development on higher elevations and ridgelines to protect visual and scenic resources as well as the adjacent open space within Garin Regional Park.
5. The proposed land use pattern will minimize negative impacts on environmentally sensitive areas such as streams and other riparian areas.
6. The existing and proposed streets and public facilities, with implementation of identified mitigation measures, will be adequate to serve the potential development.
7. The proposed land use pattern provides for the efficient delivery of public services in that potential development will be contiguous to existing development, located within existing water service areas or the planned and adopted water service area of the existing Garin Reservoir system, and served by existing roadways or the proposed extension of Alquire Parkway.

FINDINGS FOR APPROVAL

Mission-Garin Annexation Project Zone Change and Text Amendment

June 26, 2003

1. The application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Environmental Impact Report has been prepared for the proposed project.
2. Proposed residential zoning conforms to the General Plan as amended in conjunction with this proposal and reflects the City's development goals and objectives as articulated in the General Plan.
3. Provisions of the Special Design District ensure that potential residential development is consistent with the City of Hayward Design Guidelines and other applicable City policies and will be compatible with existing development in the area and will have no adverse impacts on surrounding properties.
4. A traffic analysis of the traffic impacts of this development has been conducted and it has been determined that existing and proposed streets, with implementation of identified mitigation measures, are adequate to handle the additional traffic that will be generated by this project.
5. The existing and proposed utility infrastructure can adequately serve the potential development.

Assessors Parcel Number	Street Number	Street Name	Owner	Existing Zoning	Proposed Zoning	Existing General Plan	Proposed General Plan	Parcel Acreage
078C-0461-001-13		MISSION BLVD	ERSTED	RMB3.5	RM; AB10A	LMDR	MDR; LOS	16.71
078C-0461-001-14		MISSION BLVD	ERSTED	RMB3.5	RM	LMDR	MDR	0.09
078C-0648-001-02		CALHOUN ST	TOMANEK	RMB3.5	AB10A	LMDR	LOS	4.84
078C-0650-001-07	1021	CALHOUN ST	HUSTON	A	AB10A	LMDR	LOS	1.20
078C-0650-001-08	1035	CALHOUN ST	CALVIN	A	AB10A	LMDR	LOS	0.98
078C-0650-001-15	1151	CALHOUN ST	CUEVAS	A	AB10A	LMDR	LOS	1.44
078C-0650-001-16	1151	CALHOUN ST	DURAZO	A	AB10A	LMDR	LOS	1.10
078C-0650-001-17	1151	CALHOUN ST	DURAZO	A	AB10A	LMDR	LOS	1.98
078C-0800-012	1404	CALHOUN ST	CHRISTIENSEN	A100 (County)	AB10A	SDR	LOS	4.86
078C-0800-013-01	1400	CALHOUN ST	CHRISTIENSEN	A100 (County)	AB10A	SDR	LOS	0.91
078C-0800-013-02	1400	CALHOUN ST	CHRISTIENSEN	A100 (County)	AB10A	SDR	LOS	0.91
078C-0800-014	1240	CALHOUN ST	ANGELO	A	AB10A	LMDR	LOS	
078C-0800-027	1410	CALHOUN ST	BALCH	A100 (County)	AB10A	SDR	LOS	
078C-0800-028	1410	CALHOUN ST	BALCH	A100 (County)	AB10A	SDR	LOS	3.41
083-0075-001-01	1240	CALHOUN ST	ANGELO	A	AB10A	LMDR	LOS	
083-0075-002-07		CALHOUN ST		A100 (County)	AB10A	LOS	LOS	34.87
083-0075-002-09		CALHOUN ST	SETTLE	A100 (County)	AB10A	LOS	LOS	2.06
083-0075-003	1240	CALHOUN ST		A	AB10A	LMDR	LOS	15.11
083-0075-004	1275	CALHOUN ST	CLANTON	A	AB10A	SDR	LOS	32.20
083-0100-001-01	28812	MISSION BLVD	TAVAKE	A100 (County)	AB10A	LMDR	LOS	3.10
083-0100-001-03		MISSION BLVD	CUEVAS	A100 (County)	AB10A	SDR	LOS	11.30
083-0100-001-04	28808	MISSION BLVD	TAVAKE	A100 (County)	AB10A	LMDR	LOS	0.04
083-0100-002-01	28806	MISSION BLVD		A100 (County)	AB10A	LMDR	LOS	9.86
083-0100-002-02	28816	MISSION BLVD	LYNCH	A100 (County)	AB10A	LMDR	LOS	52.73
083-0125-001-12		GARIN AVE		A100 (County)	RMB4; AB10A	LMDR; LOS	LMDR; LOS	89.36
083-0254-001		WOODLAND AVE	GALBRAITH	A100 (County)	RMB4	LMDR	LMDR	
083-0254-002-03		GARIN AVE		RSB10	RMB3.5	LMDR	LMDR	5.29
083-0254-003-01	29831	CLEARBROOK CIR		PD	PD	LMDR	LMDR	14.42
083-0265-002-11	29200	BODEGA ST	MOITA	A100 (County)	AB10A	LMDR	LOS	1.38
083-0265-002-14	29338	BODEGA ST		A100 (County)	AB10A	LMDR	LOS	
083-0265-002-15	29338	BODEGA ST		A100 (County)	AB10A	LMDR	LOS	0.92
083-0265-002-19	29370	BODEGA ST	ROSE	A100 (County)	AB10A	LMDR	LOS	1.31
083-0265-002-23	29606	BODEGA ST	DAREING	A100 (County)	AB10A	LMDR	LOS	1.51
083-0265-002-24	29402	BODEGA ST	BROWNE	A100 (County)	AB10A	LMDR	LOS	2.01
083-0265-003-01		WOODLAND AVE	MCKENZIE	A100 (County)	RMB4	LMDR	LMDR	5.08
083-0265-003-02	29700	BODEGA ST	MCKENZIE	A100 (County)	RMB4	LMDR	LMDR	3.44
083-0265-004-04		BODEGA ST		A100 (County)	RMB4	LMDR	LMDR	
083-0265-006		ALQUIRE PKWY		A	AB10A	LMDR	LOS	13.78
083-0275-001	897	OVERHILL DR	SILVA	A	RSB10	LMDR	SDR	1.00
083-0275-002-04	880	OVERHILL DR	SILVA	A	RSB10	LMDR	SDR	1.59
083-0275-002-11	822	OVERHILL DR	VINGO	A	RSB10	LMDR	SDR	0.81
083-0275-003	878	OVERHILL DR	SILVA	RSB20	RSB10	LMDR	SDR	3.52
083-0275-004-02	870	OVERHILL DR	BATTEATE	A	RSB10	LMDR	SDR	0.88
083-0275-004-03	864	OVERHILL DR	LIU	A	RSB10	LMDR	SDR	0.89
083-0275-004-04	876	OVERHILL DR	PRATT	A	RSB10	LMDR	SDR	0.88
083-0275-005	870	OVERHILL DR	KALYAN	A	RSB10	LMDR	SDR	0.85
083-0461-002	700	ALQUIRE PKWY		PD	PD	LMDR	HDR	1.51
083-0461-003	700	ALQUIRE PKWY		PD	PD	LMDR	HDR	12.24
083-0463-027		GARIN AVE		PD	PD	LMDR	LMDR	1.10